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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Mark W. Miles

Examiner: H. X. Dang

Serial No.: 09/413,222

Art Unit: 2873

Filing Date: October 5, 1999

For: PHOTONIC MEMS AND STRUCTURES

Assistant Commissioner for Patents  
Washington, D.C. 20231

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SIR: Transmitted herewith is an Amendment for the above application.

X Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.

       A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

X No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra
Total Claims	* 11	Minus	** 55	0
Indep. Claims	* 1	Minus	*** 26	0
<b>First Presentation of Multiple Dependent Claim(s)</b>				

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

SMALL ENTITY	
Rate	Additional Fee
x9	\$ 0
x42	\$ 0
+140	\$ 0
Total Add. Fee	\$ 0

OTHER THAN A SMALL ENTITY	
Rate	Additional Fee
x18	\$ 0
x84	\$ 0
+280	\$ 0
Total Add. Fee	\$ 0

\_\_\_\_\_ A check in the amount of \$ \_\_\_\_\_ is attached for presentation of additional claim(s).

X Applicant(s) hereby Petition(s) for an Extension of Time of one (1) month(s) pursuant to 37 C.F.R. § 1.136(a).

X A check for \$ 55.00 is attached for processing fees under 37 C.F.R. § 1.17.

\_\_\_\_\_ Please charge my Deposit Account No. 02-2666 the amount of \$ \_\_\_\_\_.

**A duplicate copy of this sheet is enclosed.**

X The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2666 (a duplicate copy of this sheet is enclosed):

X Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.

X Any extension or petition fees under 37 C.F.R. § 1.17.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: 8/12, 2002



Vanintheran Moodley  
Under 37 CFR § 10.9(b)

Customer No. 008791  
12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(408) 720-8300

**FIRST CLASS CERTIFICATE OF MAILING**

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Barbara Skliba

Name of Person Mailing Correspondence



Signature

8/12/02

Date



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PTO/SB/17(11/00)

Approved for use through 10/31/02. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL FOR FY 2002**

**TOTAL AMOUNT OF PAYMENT (\$)** 55.00

Complete if Known:

Application No. 09/413,222  
Filing Date October 5, 1999  
First Named Inventor Mark W. Miles  
Group Art Unit 2873  
Examiner Name H. X. Dang  
Attorney Docket No. 5652P016X

**METHOD OF PAYMENT (check one)**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number \_\_\_\_\_  
Deposit Account Name \_\_\_\_\_
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, and charge any deficiencies to Deposit Account Number 02-2666, and credit any over payments to Deposit Account Number 02-2666
- ☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.131(b)
2. ☒ Payment Enclosed  
☒ Check  
\_\_\_\_\_  
Money Order  
\_\_\_\_\_  
Other
3. ☒ Applicant claims small entity.  
See CFR 1.27

**FEE CALCULATION (fees effective 11/29/00)**

**1. FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
101	740	201	370	Utility application filing fee	_____
106	330	206	165	Design application filing fee	_____
107	510	207	255	Plant filing fee	_____
108	740	208	370	Reissue filing fee	_____
114	160	214	80	Provisional application filing fee	_____
SUBTOTAL (1)					\$ 0

**2. CLAIMS**

		Extra		Fee from below		Fee Paid
Total Claims	_____	- 20 =	_____	X	_____	= _____
Independent Claims	_____	- 3 =	_____	X	_____	= _____
Multiple Dependent Claims	_____		_____	X	_____	= _____

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
103	18	203	9	Claims in excess of twenty	_____
102	84	202	42	Independent claims in excess of 3	_____
104	280	204	140	Multiple dependent claim	_____
109	84	209	42	Reissue independent claims over original patent	_____
110	18	210	9	Reissue claims in excess of 20 and over original patent	_____
SUBTOTAL (2)					\$ 0

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## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	55.00
116	400	216	200	Extension for response within second month	
117	920	217	460	Extension for response within third month	
118	1,440	218	720	Extension for response within fourth month	
128	1,960	228	980	Extension for response within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,280	241	640	Petition to revive unintentionally abandoned application	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For filing a submission after final rejection	
149	740	249	370	For each additional invention to be examined	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal publication	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority	

Other: \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$ 55.00

## SUBMITTED BY:

Typed or Printed Name: Vanintheran Moodley

Signature

Date

Reg. Number

Under 37 C.F.R. § 10.9(b)

Customer No.

008791

(complete if applicable)

## FIRST CLASS CERTIFICATE OF MAILING

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Barbara Skliba

Name of Person Mailing Correspondence

Barbara Skliba

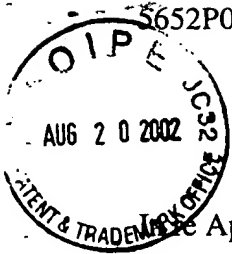
8/12/02

Signature

Date

5652P016X

PATENT



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**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

The undersigned has been granted limited recognition under 37 CFR § 10.9(b) to prosecute patent applications in which the applicants are clients of the Blakely, Sokoloff, Taylor & Zafman LLP law firm, and wherein a registered practitioner who is a member of the Blakely, Sokoloff, Taylor & Zafman LLP law firm is the attorney or agent of record. In this regard, please see the attached copy of the original document in which this limited recognition is granted. In particular, please note that:

- (a) The undersigned is an employee of the Blakely, Sokoloff, Taylor & Zafman LLP law firm;
- (b) The above applicant is a client of the Blakely, Sokoloff, Taylor & Zafman LLP law firm;
- (c) A registered practitioner who is a member of the Blakely, Sokoloff, Taylor & Zafman LLP law firm is an attorney or agent of record in the above application;


- (d) The undersigned continues to lawfully reside in the United States on a H-1B visa;  
and
- (e) The undersigned has been appointed an associate attorney in the above  
application.

Accordingly, the undersigned meets all requirements for limited recognition under §  
10.9(b), and thus permitted to prosecute the above patent application.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 8/12, 2002



Vanintheran Moodley  
Under 37 CFR § 10.9(b)

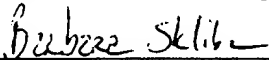
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